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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,367	12/04/2000	John M. Smith	D/98727	3425

7590 05/20/2004

Patent Documentation Center
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EXAMINER

SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/728,367	SMITH ET AL.	
	Examiner	Art Unit	
	Peter J Smith	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application filed on 12/4/2000, IDS filed 12/4/2000.
2. Claims 1-4 are pending in the case. Claim 1 is an independent claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al., US 5,181,162 patented 1/19/1993.**

Regarding independent claim 1, Smith discloses a document broker for mediating between a plurality of heterogeneous program applications and documents having business critical data in fig. 1-4, col. 2 lines 40-47, col. 8 lines 31-34. Smith also provides a motivation and explanation of need for the document broker in col. 1 lines 32-59. Smith teaches a message broker for retrieving and transferring business critical data from one of the plurality of heterogeneous program applications and environments to be used by another of the plurality of heterogeneous program applications and environments in col. 3 lines 14-22, col. 4 lines 45-51, and col. 5 lines 52-68.

Smith teaches a document browser for selecting selective portions of business critical data in fig. 1-4 and col. 2 line 54 – col. 3 line 13. Smith also discloses a motivation for selecting

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and editing discrete document portions with a plurality of applications in col. 1 lines 32-59.

Smith discloses a document manager for generating new business documents based on predefined business parameters in col. 2 line 54 – col. 3 line 13. Smith discloses a document manager with a means for analyzing selective portions of the business critical data in fig. 1-4 and col. 2 line 54 – col. 3 line 45, a means for storing new business documents in fig. 1-4 and col. 2 lines 54-61 and col. 4 lines 14-23, and a means for distributing the new documents across a plurality of heterogeneous program applications and environments in col. 5 lines 52 – col. 6 line 12, col. 4 lines 45-51, and col. 8 lines 31-34.

Regarding dependent claim 2, Smith teaches wherein the analyzing means, storing means, and distributing means are enabled or disabled based upon predefined business parameters in col. 4 line 67 – col. 5 line 29.

Regarding dependent claim 3, Smith teaches wherein the predefined business parameters are determined by the selection of business critical data in col. 2 line 54 – col. 3 line 55 and col. 7 lines 21-54 and col. 8 lines 1-7.

Regarding dependent claim 4, Smith teaches wherein the predefined business parameters are determined by the selection of the user in col. 7 lines 21-54.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Swartz et al., US 6,236,994 B1 filed 6/29/1998 discloses integrating the operation of various independent software applications directed to the management of information as shown in fig. 5. Chang et al., US 6,308,178 B1 filed 10/21/1999 discloses a system for integrating data

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among heterogeneous source applications as shown in fig. 1. Atkinson et al., US 5,715,441 patented 2/3/1998 discloses interfacing an application program with a compound document storage system. Multiple applications are employed to produce and manipulate a single document as shown in fig. 2. Yehuda et al., US 6,266,683 B1 filed 7/24/1997 discloses a computerized document management system. Kuwabara et al., US 5,051,930 patented 9/24/1991 discloses editing documents including a plurality of data of different types. Fritz et al., US 6,134,552 filed 1/28/1998 discloses the efficient management and storage of documents in a multi-user environment. Ochitani, US 5,940,830 patented 8/17/1999 discloses a distributed document management system. Ferguson et al., US 6,237,011 B1 filed 10/8/1997 discloses a computer based electronic document management application program. The program is capable of managing documents regardless of document type or document format.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
April 23, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER